

EMPLOYMENT

**Agreement Between the
UNITED STATES OF AMERICA
and UGANDA**

Effectuated by Exchange of Notes at
Kampala August 20 and 21, 2013



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“. . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

UGANDA

Employment

*Agreement effected by exchange of notes at
Kampala August 20 and 21, 2013;
Entered into force October 17, 2013.*

No. 2013/509

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Uganda and has the honor to propose that the two governments conclude a bilateral work agreement for dependents of members of diplomatic missions assigned to official duty in the respective countries, to read as follows:

THE GOVERNMENT OF THE REPUBLIC OF UGANDA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA (HEREINAFTER "THE PARTIES");

DESIROUS of facilitating the employment of dependents of members of diplomatic missions assigned to official duty in the respective countries;

RECALLING the Agreement between the Government of the United States of America and the Government of the Republic of Uganda Relating to the Employment of Dependents of Official Government Employees, effected by Exchange of Notes at Kampala on the 8th of October, 1998, and the 18th of June 1999;

AWARE of the limitations on employment of dependents that may arise or be imposed by the respective national immigration or labour laws of the Parties hereunto;

NOTING the emerging needs of both Parties relating to the employment of dependents of members of diplomatic missions assigned to official duty in the respective countries;

CONVINCED of the need for a framework to guide the facilitation of employment of dependents of members of diplomatic missions assigned to official duty in the respective countries; and

ANCHORING this Agreement on the principle of reciprocity and spirit of cooperation between nations espoused by the Vienna Convention on Diplomatic Relations of 18 April 1961;

HEREBY AGREE AS FOLLOWS:

ARTICLE 1

PURPOSE

The purpose of this Agreement is to:

- a) Provide the basis for permission for the employment of dependents of members of diplomatic missions, including a diplomatic mission to an international organization, assigned to official duty and accredited in the respective countries;
- b) Allow for the issuance of gratis work permits to the dependents of members of diplomatic missions assigned to official duty in the respective countries; and
- c) Provide a platform for mutual cooperation and reciprocal arrangements between the Parties herein on matters relating to the employment of dependents of members of diplomatic missions assigned to official duty in the respective countries.

ARTICLE 2

SCOPE

- a) Dependents of members of diplomatic missions of the Government of the Republic of Uganda in the United States and of the Government of the United States of America in the Republic of Uganda are authorized to pursue employment in the receiving state after obtaining the appropriate authorization in accordance with the provisions of this Agreement.
- b) For the purpose of this Agreement, "dependents" means: spouses, unmarried dependent children under 21 years of age, unmarried dependent children under 23 years of age who are in full-time attendance as students at a postsecondary educational institution, and unmarried dependent children who are physically or mentally disabled.
- c) For the purpose of this Agreement, a "home-origin member of the service staff" is a member of the service staff who is a national of the sending state.

ARTICLE 3

PROCEDURE

- a) Employment authorization shall be accorded to a dependent on the basis of his or her accreditation as a dependent of a member of a diplomatic mission.
- b) To obtain employment authorization for a dependent of a member of a diplomatic mission of the Government of the Republic of Uganda in the United States, an official request shall be made by the Embassy of the Republic of Uganda to the Office of Protocol in the Department of State. For a dependent of a member of the Government of the Republic of Uganda's Mission to the United Nations seeking employment authorization, an official request shall be made by the Mission of the Republic of Uganda to the United Nations to the United States Mission to the United Nations. Upon verification that the person is a dependent of a member of a diplomatic mission of the Government of the Republic of Uganda, and processing of the official request, the Government of the United States of America shall inform the Ugandan Embassy or Mission to the United Nations that the dependent is authorized to be employed.
- c) To obtain employment authorization for a dependent of a member of a diplomatic mission of the Government of the United States of America in Uganda, an official request shall be made by the United States Embassy in Kampala to the Ministry of Foreign Affairs. Upon verification that the person is a dependent of a member of a diplomatic mission of the Government of the United States of America, the Ministry of Foreign Affairs shall inform the United States Embassy that the dependent is authorized to be employed.
- d) The parties shall not charge any fee in connection with the issuance of employment authorization / work permit.

ARTICLE 4

CIVIL AND ADMINISTRATIVE PRIVILEGES AND IMMUNITIES:

The Parties confirm that even if dependents enjoy immunity from civil and administrative jurisdiction in the receiving state, in accordance with the Vienna Convention on Diplomatic Relations of 18 April 1961 or any other instrument making the provisions of that Convention applicable, such dependents enjoy neither civil nor administrative immunity in an action relating

to any professional or commercial activity, including employment authorized pursuant to this Agreement.

To the extent consistent with other international agreements, dependents are responsible for payment of income and social security taxes on any remuneration received as a result of employment in the receiving state.

ARTICLE 5

AMENDMENT

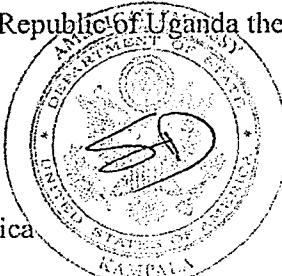
This Agreement may be amended by mutual written agreement of the Parties by an exchange of notes between the Parties through the diplomatic channels.

ARTICLE 6

ENTRY INTO FORCE AND TERMINATION

- a) This Agreement shall enter into force thirty (30) days after the date of the last diplomatic note, in an exchange of written notes through diplomatic channels, by each State informing the other that the necessary internal procedures required for entry into force have been completed.
- b) Upon entry into force, this Agreement shall supersede the Agreement between the Government of the United States of America and the Government of the Republic of Uganda Relating to the Employment of Dependents of Official Government Employees, effected by Exchange of Notes at Kampala on the 8th of October, 1998, and the 18th of June 1999.
- c) This Agreement shall remain in force until ninety days after the date of written notification from either Party to the other of its intention to terminate the Agreement.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Uganda the assurance of its highest consideration.



Embassy of the United States of America

Kampala, August 20, 2013.

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Ministry of Foreign Affairs
P. O. Box 7048,
KAMPALA,
UGANDA.

THE REPUBLIC OF UGANDA

**In any correspondence on
this subject please quote no: PRO/159/370/01**

The Ministry of Foreign Affairs of the Republic of Uganda presents its compliments to the Embassy of the United States of America in Kampala and has the honour to confirm its acceptance of the latter's proposal set out in Note No. 2013/509 of 20th August 2013, and to record its assent to the bilateral work agreement for dependents of members of diplomatic missions assigned to official duty in the respective countries, to read as follows:

**THE GOVERNMENT OF THE REPUBLIC OF UGANDA AND THE GOVERNMENT OF
THE UNITED STATES OF AMERICA (HEREINAFTER "THE PARTIES");**

DESIROUS of facilitating the employment of dependents of members of diplomatic missions assigned to official duty in the respective countries;

RECALLING the Agreement between the Government of the United States of America and the Government of the Republic of Uganda Relating to the Employment of Dependents of Official Government Employees, effected by Exchange of Notes at Kampala on the 8th of October, 1998, and the 18th of June 1999;

AWARE of the limitations on employment of dependents that may arise or be imposed by the respective national immigration or labour laws of the Parties hereunto;

NOTING the emerging needs of both Parties relating to the employment of dependents of members of diplomatic missions assigned to official duty in the respective countries;

CONVINCED of the need for a framework to guide the facilitation of employment of dependents of members of diplomatic missions assigned to official duty in the respective countries; and

ANCHORING this Agreement on the principle of reciprocity and spirit of cooperation between nations espoused by the Vienna Convention on Diplomatic Relations of 18 April 1961;

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- c) To obtain employment authorization for a dependent of a member of a diplomatic mission of the Government of the United States of America in Uganda, an official request shall be made by the United States Embassy in Kampala to the Ministry of Foreign Affairs. Upon verification that the person is a dependent of a member of a diplomatic mission of the Government of the United States of America, the Ministry of Foreign Affairs shall inform the United States Embassy that the dependent is authorized to be employed.
- d) The Parties shall not charge any fee in connection with the issuance of employment authorization / work permit.

ARTICLE 4

CIVIL AND ADMINISTRATIVE PRIVILEGES AND IMMUNITIES:

The Parties confirm that even if dependents enjoy immunity from civil and administrative jurisdiction in the receiving state, in accordance with the Vienna Convention on Diplomatic Relations of 18 April 1961 or any other instrument making the provisions of that Convention applicable, such dependents enjoy neither civil nor administrative immunity in an action relating to any professional or commercial activity, including employment authorized pursuant to this Agreement. To the extent consistent with other international agreements, dependents are responsible for payment of income and social security taxes on any remuneration received as a result of employment in the receiving State.

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- c) This Agreement shall remain in force until ninety days after the date of written notification from either Party to the other of its intention to terminate the Agreement.

The foregoing proposals being acceptable to the Government of the Republic of Uganda, the Ministry of Foreign Affairs has the singular honour to confirm that the Embassy's Note and the Note in reply shall constitute an agreement between the two Governments.

The Ministry of Foreign Affairs of the Republic of Uganda wishes to congratulate the Embassy of the United States of America on the successful conclusion of this mutually binding Agreement.

The Ministry of Foreign Affairs of the Republic of Uganda avails itself of this opportunity to renew to the Embassy of the United States of America in Kampala the assurances of its highest consideration.

Kampala: 21st August, 2013

Embassy of the United States of America
KAMPALA

